

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MONICA CONYERS,

Plaintiff,

v.

Case No. 22-11152

CATHY M. GARRETT in her
official capacity as Wayne County Clerk,

Sean F. Cox
United States District Court Judge

Defendant.

_____ /

ORDER DENYING
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

In this civil action, Plaintiff Monica Conyers (“Conyers”) challenges the constitutionality of an amendment to the Michigan Constitution, article 11, § 8, which makes a person who within the immediately preceding 20 years has been convicted of a felony involving dishonesty, deceit, fraud, or a breach of the public trust, ineligible for election or appointment to public office, if the conviction was related to that person’s official capacity while holding an elected or appointed office.

Conyers has a 2009 felony criminal conviction for accepting a bribe while she served as a Member of the Detroit City Council. Nevertheless, Conyers filed an Affidavit of Identity and fee, to qualify as a candidate for the elected office of Wayne County Executive. Two parties filed challenges to Conyers’s candidacy with Defendant Cathy M. Garrett, Wayne County Clerk (“Clerk Garrett”). On May 13, 2022, Clerk Garrett upheld the challenge, ruling that Conyers is not eligible for the office of Wayne County Executive due to Article XI, Section 8 of the Michigan Constitution. Two weeks after that decision, Conyers filed this action, along with a motion seeking a preliminary injunction.

Conyers's Motion for Preliminary Injunction asks this Court order Clerk Garrett to place Conyers on the primary ballot. The motion is opposed by Clerk Garrett, and is also opposed by Michigan Attorney General Dana Nessel, who intervened in this case on June 1, 2022, in order to defend the constitutionality of the amendment.

The parties agreed, on the record, that an evidentiary hearing is not requested or necessary. The Court heard oral argument on June 2, 2022, after very expedited briefing. The expedited briefing and hearing were necessary because the ballots for the upcoming August 2, 2022 primary election are set to be printed very soon after the Election Commission meets, which is set to occur on either June 3, 2022, or June 6, 2022. Given the time-sensitive nature of the matter, and mindful that the parties may wish to pursue an interlocutory appeal of this Court's ruling, the Court is issuing this order now. The Court **ORDERS** that Conyers's Motion for Preliminary Injunction is **DENIED** because the Court concludes that Conyers has not met her burden of establishing that she is entitled to the injunctive relief she seeks. The Court will issue a Memorandum Opinion, setting forth this Court's analysis and reasoning, shortly.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: June 3, 2022